

Message Text

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ORIGIN EB-07

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AGR-05 CEA-01 CIAE-00 COME-00 DODE-00 FRB-03 H-02

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CIEP-01 SS-15 STR-04 ITC-01 TRSE-00 USIA-06 PRS-01

SP-02 OMB-01 FEA-01 /095 R

DRAFTED BY EB/CSB/BP:WALTER B. LOCKWOOD:BT

APPROVED BY EB/CSB/BP:HARVEY J. WINTER

JUSTICE:DGOLDSWEIG

L/EB:JCROOK

EUR/NE:JSHUMATE

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P 112200Z FEB 76

FM SECSTATE WASHDC

TO AMEMBASSY LONDON PRIORITY

INFO USMISSION OECD PARIS PRIORITY

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E.O. 11652:N/A

TAGS: ETRD, UK

SUBJECT: ANTITRUST: GRAND JURY INVESTIGATIONS RE BANK
SECURITY EQUIPMENT MANUFACTURERS

REF: 74 AUG. 1, STATE 167773

1. REFTTEL DESCRIBES GRAND JURY INVESTIGATION INTO
POSSIBLE VIOLATIONS OF U.S. ANTITRUST LAWS INVOLVING
ALLEGED ATTEMPTS BY MANUFACTURERS OF BANK SECURITY
EQUIPMENT TO RESTRAIN IMPORTS INTO THE U.S. OR OTHERWISE
DIVIDE WORLD MARKETS.

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2. DEPARTMENT ON FEB. 11 RECEIVED FOLLOWING LETTER FROM JUSTICE (DOJ) ON THIS MATTER: QUOTE: ON JULY 24, 1974, YOUR OFFICE WAS INFORMED OF A GRAND JURY INVESTIGATION INTO POSSIBLE ATTEMPTS BY CERTAIN MANUFACTURERS OF BANK SECURITY EQUIPMENT TO RESTRAIN THE IMPORT OF BANK SECURITY EQUIPMENT INTO THE UNITED STATES OR OTHERWISE DIVIDE WORLD MARKETS. THIS INVESTIGATION IS NOW COMPLETED.

QUOTE: AS A RESULT OF THIS INVESTIGATION, THE STAFF INVOLVED HAS BEEN AUTHORIZED BY THE ASSISTANT ATTORNEY GENERAL TO SEEK INDICTMENTS BY THE GRAND JURY CHARGING A CONSPIRACY IN VIOLATION OF SECTION 1 OF THE SHERMAN ACT (15 U.S.C. 1) TO CANCEL BANK SECURITY EQUIPMENT DISTRIBUTORSHIPS, THEREBY RESTRAINING AMERICAN FOREIGN TRADE AND COMMERCE IN BANK SECURITY EQUIPMENT.

QUOTE: IN ACCORD WITH THE OECD NOTIFICATION PROCEDURE, WILL YOUR OFFICE PLEASE NOTIFY THE GOVERNMENT OF THE UNITED KINGDOM OF THE POSSIBILITY THAT A BRITISH COMPANY WILL BE CHARGED WITH THIS CRIMINAL OFFENSE UNDER AMERICAN LAW. PENALTY UPON CONVICTION FOR THIS OFFENSE INVOLVES A FINE OF UP TO 50,000 DOLLARS. UNQUOTE.

3. ACTION REQUESTED: EMBASSY IS REQUESTED TO IMMEDIATELY CONTACT BY TELEPHONE OR IN PERSON APPROPRIATE UK OFFICIALS, I.E. OFFICE OF FAIR TRADING, TO NOTIFY THEM OF ABOVE PURSUANT TO OECD PROCEDURES. IN SO DOING, ADVISE UK OFFICIALS THAT ACTION BY DOJ TO SEEK GRAND JURY INDICTMENT IS IMMINENT, BUT THAT GRAND JURY REQUIREMENTS DO NOT PERMIT DISCLOSURE OF ANY FURTHER INFO. DOJ STATES THAT IDENTIFICATION OF PARTIES AT THIS TIME IS NOT LEGALLY POSSIBLE. UK EMBASSY HERE HAS BEEN INFORMED. PLEASE REPORT ANY SIGNIFICANT REACTIONS. KISSINGER

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Message Attributes

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